



Planning Commission Agenda Item

Date: December 09, 2020

Item No: 16.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Sharianne Dotson

SUBJECT: SUP-36-2020 HELPING HAND WELLNESS (Public Hearing).
Applicant: Helping Hands Wellness Center, Inc. Request: A special use permit in a C-2 (General Commercial District) to allow a marijuana dispensary or retail marijuana store. Location: 150 East Centennial Parkway, Suite 114. (APN 124-22-812-002). (For possible action).

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting approval of a special use permit to allow a retail marijuana store in a C-2, General Commercial District. The proposed facility would be located in Centennial Plaza, in an existing commercial center at 150 East Centennial Parkway, Suite 114. The proposed retail establishment will be approximately 1,910 square feet; have a drive-thru and intends to operate 24 hours and seven (7) days a week.

BACKGROUND INFORMATION:

Previous Action

On November 18, 2015, A Conditional Use Permit (CUP-37-15) was approved to allow an "Off-Sale" of Beet-Wine/Spirit based products at 150 East Centennial Parkway, Suite 111.

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use		Existing Use
Subject Property	Mixed-Use Commercial	C-2, General Commercial District	Centennial Plaza
North	Mixed Use Commercial	PUD, Planned Unit Development District	Undeveloped
South	Mixed-Use Commercial	R-4, High Density Residential District	Existing Multi-Family Residential
East	Mixed-Use Commercial	C-1, Neighborhood Commercial District	Undeveloped
West	Mixed-Use Commercial	C-2, General Commercial District	Commercial/ Convenience Food Store and Gas Pump

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire Prevention:	No Comment.
Clark County School District:	No Comment.
Clark County Department of Aviation	No Comment.

ANALYSIS:

The applicant is requesting approval of a special use permit to allow a retail marijuana store located at 150 East Centennial Parkway, Suite 114. According to the site plan, the applicant is proposing to occupy one (1) suite which is approximately 1,910 square feet in size with an existing drive-thru. The floor plan shows a single entrance that connects to a lobby area which contains a check-in desk for waiting customers. The floor plan also shows separate sales, hallway, security office, product storage, vestibule area for product receiving and restrooms (2).

The building was constructed in 2005, and is part of an overall larger commercial center. The existing building has a tan stucco finish with taupe and off-white accents and appears to be in compliance with the Commercial Design Standards. The applicant

is not proposing any changes to the existing store front. The existing drive-thru was originally constructed with the building but was closed while not in use. The applicant is proposing to reopen the drive-thru area. The drive-thru area may be re-opened but drive-thru queuing should not be extended into the drive isle. An extension of the drive-thru would not be allowed due to the narrow drive isle and the need for proper fire access.

Access to the site is from two primary existing driveways on Centennial Parkway and a secondary driveway access from Goldfield Street. The applicant is not proposing to modify access to the site. The commercial center has shared parking and contains approximately 169 parking spaces. This establishment requires 8 total parking spaces. Parking appears to be in compliance with code.

Perimeter landscaping along Centennial Parkway is 25 feet in width, including a centered five-foot meandering sidewalk. There is existing on-site landscaping, parking lot and foundation landscaping. Therefore, the site is in compliance with the landscaping requirements. The existing trash enclosure is located in the rear parking area and is in compliance with the required landscaping on both sides and matches the primary structure.

According to Title 17, the following requirements must be demonstrated:

Distance Separation Requirements: The applicant must submit a survey from a Nevada licensed surveyor that demonstrates the proposed establishment meets the separation requirements of 1,000 feet from schools and marijuana dispensary/retail stores and 300 feet from a community facility. The submitted survey indicates that these requirements have been met.

Separate, Stand Alone Building or Facility: According to the site plan, the applicant is proposing to locate the proposed establishment within one (1) suite of this commercial center.

Appropriately Zoned: The subject site has the appropriate zoning of C-2, General Commercial District.

Specific Use of the Facility: The applicant is proposing a retail marijuana store. The letter of intent or site plan do not indicate other activities, other than a retail marijuana store.

A Single Entrance: According to the floor plan, it appears that one entrance is proposed. The only other entrance appears to be an additional ingress/egress door for life safety to the rear of the building.

No Outside Storage: The site plan shows no outside storage as part of this use.

Minimum Square Footage: The proposed dispensary/retail store will be approximately 1,910 square feet in size. The minimum size criteria of 1,500 square feet for a dispensary/retail store has been met.

Appearance: The facility must have an appearance to the interior and exterior that is professional, orderly, dignified and consistent with pharmacies or medical offices. The applicant is proposing to occupy one (1) suite within an existing commercial center.

In addition to the above requirements, there are several other requirements the applicant would need to comply with that cannot be determined with the submittal of a land use request. Those requirements include, but are not limited to maintaining discreet and professional signage, not obstructing windows, complying with life safety requirements, and ensuring there is no emission of dust, fumes, vapors, or odors.

Staff has no objections to the proposed use. The proposed use is consistent with the zoning designation, and also appears to be consistent with the criteria set for a marijuana establishment. In regards to compatibility with the surrounding properties, the applicant will need to ensure on an on-going basis that noise, odor, dust, or other external impacts do not negatively impact the surrounding properties.

Requirements for Approval of a Special Use Permit:

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable)

will be available to serve the subject property while maintaining adequate levels of service for existing development.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The special use permit shall expire and deemed null and void if the applicant fails to fulfill any and all conditions, stipulations, and limitations within one (1) year from the public meeting date which the special use permit was approved.

ATTACHMENTS:

Letter of Intent
Site Plan
Floor Plan
Elevation
Distance Survey
Department of Taxation Letter
Owner Verification Letter
Clark County Assessor's Map
Location and Zoning Map